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**ORAL ARGUMENT REQUESTED**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

DR. BRIANCE	:	Hon. Jerome B. Simandle, U.S.D.J.
MASCARENHAS,	:	
	:	
	:	
Plaintiff,	:	
	:	<b>Civil Action No. 16-5348 (JBS)(LHG)</b>
vs.	:	
	:	
	:	
RUTGERS, THE STATE	:	<b>NOTICE OF MOTION FOR</b>
UNIVERSITY,	:	<b><u>SUMMARY JUDGMENT</u></b>
	:	
	:	
Defendant.	:	<b>Document Electronically Filed</b>
	:	

TO: Michael H. Sussman, Esq.  
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**PLEASE TAKE NOTICE** that on October 15, 2018 or other such time and date to be determined by the Court, pursuant to Rule 56 of the Federal Rules of

Civil Procedure and Local Rule 56.1 of the United States District Court for the District of New Jersey, Defendant Rutgers, The State University (“Defendant”) through its undersigned attorneys, will move before the Honorable Jerome B. Simandle, U.S.D.J., for an Order granting Defendant’s motion for summary judgment dismissing Plaintiff’s Complaint in its entirety, with prejudice.

**PLEASE TAKE FURTHER NOTICE** that in support of said motion, Defendant shall rely upon its Memorandum of Law, the Statement of Undisputed Material Facts Pursuant to Fed. R. Civ. P. 56 and Local Civil Rule 56.1, the Affidavits of James E. Patterson and Barbara Lee each filed and served herewith. A copy of Defendant’s proposed form of Order accompanies this Notice of Motion.

**PLEASE TAKE FURTHER NOTICE** that Defendant respectfully requests oral argument on this motion.

Respectfully submitted,

**McElroy, Deutsch, Mulvaney &  
Carpenter, LLP**

Attorneys for Defendant

By: /S/ James E. Patterson  
James E. Patterson  
Member of the Firm

Dated: September 17, 2018